

Office of Employee Appeals

| Description | FY 2003 Approved | FY 2004 Proposed | % Change |
|------------------|------------------|------------------|----------|
| Operating Budget | \$1,475,000 | \$1,500,594 | 1.7 |

The mission of the Office of Employee Appeals (OEA) is to render impartial, legally sufficient, timely decisions on appeals filed by District employees who challenge employer decisions concerning adverse actions for cause, reductions in force, performance evaluations, and classification of positions.

OEA was established as part of the 1978 District of Columbia Comprehensive Merit Personnel Act. The hearing board is composed of five members with demonstrated qualifications in the area of personnel management and labor relations. The board is a quasi-judicial body charged with hearing and adjudicating appeals filed by District government employees under the applicable statute and board rules.

The agency plans to fulfill its mission by achieving the following strategic result goals:

- Reducing the average time to resolve an appeal.
- Encouraging the use of the informal mediation process to resolve grievances to avoid costly and time-consuming formal litigation.

| Did you know... | |
|---|----------------|
| Telephone | (202) 727-0004 |
| Initial decisions in FY 2001 | 326 |
| Number of mediations and opinions and orders in FY 2001 | 35 |

Where the Money Comes From

Table CH0-1 shows the sources of funding for the Office of Employee Appeals.

Table CH0-1

FY 2004 Proposed Operating Budget, by Revenue Type

(dollars in thousands)

| | Actual FY 2001 | Actual FY 2002 | Approved FY 2003 | Proposed FY 2004 | Change From FY 2003 | Percent Change |
|-------------------------------|-------------------|-------------------|---------------------|---------------------|---------------------------|-------------------|
| Local Fund | 1,400 | 1,485 | 1,475 | 1,501 | 26 | 1.7 |
| Total for General Fund | 1,400 | 1,485 | 1,475 | 1,501 | 26 | 1.7 |
| Gross Funds | 1,400 | 1,485 | 1,475 | 1,501 | 26 | 1.7 |

How the Money is Allocated

Tables CH0-2 and 3 show the FY 2004 proposed budget for the agency at the Comptroller Source Group level (Object Class level) and FTEs by fund type.

Table CH0-2

FY 2004 Proposed Operating Budget, by Comptroller Source Group

(dollars in thousands)

| | Actual FY 2001 | Actual FY 2002 | Approved FY 2003 | Proposed FY 2004 | Change from FY 2003 | Percent Change |
|--|-------------------|-------------------|---------------------|---------------------|---------------------------|-------------------|
| 11 Regular Pay - Cont Full Time | 842 | 917 | 895 | 854 | -41 | -4.6 |
| 12 Regular Pay - Other | 45 | 38 | 37 | 132 | 95 | 260.3 |
| 13 Additional Gross Pay | 47 | 40 | 0 | 0 | 0 | 0.0 |
| 14 Fringe Benefits - Curr Personnel | 131 | 137 | 131 | 150 | 19 | 14.6 |
| Subtotal Personal Services (PS) | 1,064 | 1,132 | 1,062 | 1,135 | 73 | 6.9 |
| 20 Supplies and Materials | 4 | 5 | 8 | 8 | 0 | 0.0 |
| 31 Telephone, Telegraph, Telegram, Etc | 9 | 8 | 10 | 9 | -1 | -13.2 |
| 32 Rentals - Land and Structures | 269 | 259 | 305 | 285 | -20 | -6.7 |
| 34 Security Services | 0 | 5 | 5 | 6 | 0 | 4.4 |
| 40 Other Services and Charges | -7 | 25 | 19 | 11 | -9 | -44.9 |
| 41 Contractual Services - Other | 44 | 31 | 48 | 48 | 0 | 0.0 |
| 70 Equipment & Equipment Rental | 16 | 22 | 17 | 0 | -17 | -100.0 |
| Subtotal Nonpersonal Services (NPS) | 336 | 353 | 413 | 365 | -47 | -11.5 |
| Total Proposed Operating Budget | 1,400 | 1,485 | 1,475 | 1,501 | 26 | 1.7 |

Table CH0-3

FY 2004 Full-Time Equivalent Employment Levels

| | Actual FY 2001 | Actual FY 2002 | Approved FY 2003 | Proposed FY 2004 | Change from FY 2003 | Percent Change |
|-------------------------------|-------------------|-------------------|---------------------|---------------------|---------------------------|-------------------|
| General Fund | | | | | | |
| Local Fund | 12 | 14 | 16 | 15 | -1 | -3.2 |
| Total for General Fund | 12 | 14 | 16 | 15 | -1 | -3.2 |
| Total Proposed FTEs | 12 | 14 | 16 | 15 | -1 | -3.2 |

Gross Funds

The proposed budget is \$1,500,594, representing an increase of 1.74 percent over the FY 2003 approved budget of \$1,475,000. There are 15 total FTEs for the agency, a decrease of 0.5, or 3.23 percent, from FY 2003.

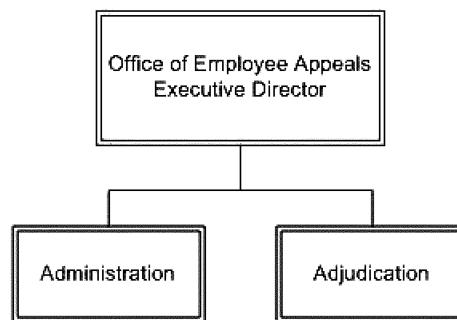
General Fund

Local Funds. The proposed budget is \$1,500,594, an increase of \$25,594 over the FY 2003 approved budget of \$1,475,000. There are 15 FTEs funded by Local sources, a decrease of 0.5, or 3.23 percent, from FY 2003.

Changes from the FY 2003 approved budget are:

- An increase of \$50,958 in personal services to support FY 2004 step increases and fringe benefits.
- An increase of \$22,115 in personal services, reflecting a mayoral enhancement for a part-time hearing examiner to address the backlog of cases.
- A reduction of \$21,552 in fixed costs based on the Office of Finance and Resource Management's estimates.

Figure CH0-1

Office of Employee Appeals

- A reduction of \$17,387 for equipment not required in FY 2004.
- A reduction of \$8,540 in other services based on prior year actuals and anticipated costs for FY 2004

Programs

The Office of Employee Appeals operates the following programs:

Administration provides for the day-to-day management of the agency. The executive director is assisted by staff in carrying out these duties.

Adjudication provides the agency's core service, which is hearing and adjudicating appeals filed by District government employees in accordance with the enabling statute and board rules. The agency hears appeals from District government employees challenging an agency's final decision on: 1) a performance rating resulting in the employee's termination; 2) an adverse action for cause resulting in the employee's termination, reduction in grade, or suspension for 10 days or more; and 3) a reduction in force. To conduct this process, the employee is first granted an evidentiary hearing before hearing examiners, resulting in an initial written decision. That decision may be appealed to the Office of Employee Appeals board, whose general counsel then will prepare a written opinion and order. The board's decisions are appealed first to the D.C. Superior Court then to the D.C. Court of Appeals. To reduce the number of time-consuming and expensive appeals, the agency also offers an informal mediation process with all hearing examiners having received mediation training.

Agency Goals and Performance Measures

Goal 1: Reduce the backlog of appeals and issue decisions within 120 work days.

Citywide Strategic Priority Area(s): Making Government Work

Manager(s): Warren M. Cruise, Esq., Executive Director

Supervisor(s): Warren M. Cruise, Esq., Executive Director

Measure 1.1: Number of initial decisions issued

| | Fiscal Year | | 2003 | 2004 | 2005 |
|--------|-------------|------|------|------|------|
| | 2001 | 2002 | | | |
| Target | 320 | 320 | 200 | 200 | 200 |
| Actual | 326 | 320 | - | - | - |

Goal 2: Issue Opinions and Orders on petitions for review.

Citywide Strategic Priority Area(s): Making Government Work

Manager(s): Harley J. Daniels, Esq., General Counsel

Supervisor(s): Harley J. Daniels, Esq., General Counsel

Measure 2.1: Number of Opinions and Orders (on petitions for review) issued

| | Fiscal Year | | 2003 | 2004 | 2005 |
|--------|-------------|------|------|------|------|
| | 2001 | 2002 | | | |
| Target | 40 | 35 | 35 | 35 | 35 |
| Actual | 40 | 35 | - | - | - |

Note: The targets for 2002 and 2003 are a range of 30 to 40. For FY 2002, the OEA Board does not have a quorum. The number of Opinions and Orders to be issued will depend upon when a quorum is appointed and confirmed.

Goal 3: Encourage employees and agencies to mediate rather than adjudicate or litigate.

Citywide Strategic Priority Area(s): Making Government Work

Manager(s): Warren M. Cruise, Esq., Executive Director

Supervisor(s): Warren M. Cruise, Esq., Executive Director

Measure 3.1: Number of mediations conducted

| | Fiscal Year | | 2003 | 2004 | 2005 |
|--------|-------------|------|------|------|------|
| | 2001 | 2002 | | | |
| Target | 15 | 15 | 15 | 15 | 15 |
| Actual | 0 | 15 | - | - | - |